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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

JOABSSON et al.

Atty. Ref.: 613-102; Confirmation No. 2888

Appl. No. 10/566,976 ✓

TC/A.U. unknown

Filed: February 2, 2006

Examiner: Unknown

For: METHOD FOR LOADING AMPHIPHILE PARTICLES WITH ACTIVE AGENTS

\* \* \* \* \*

November 9, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE**

This responds to the communication mailed November 3, 2006 indicating that our response of August 9, 2006 is defective. Specifically, the defect alleged is that the application contains a Sequence Listing and accordingly a Sequence Listing must be supplied, etc.

The application does not contain a Sequence Listing nor does it include any information with respect to amino acids or sequences of them. In fact, the application is not concerned with biotechnology at all.

Counsel believes there may be some confusion that arises from the use of three letter abbreviations in the text of the application as well as in the drawings. However, the basis for these three letter abbreviations is set out very clearly in the description of the invention and the specification at pages 38-39 (and elsewhere). From the Table given bridging these two pages it will be apparent that amino acids are not intended but instead these are abbreviations for various materials used in the examples of the invention.

Again, I state that there are no Sequence Listings or information of this type that would require special processing or a "Sequence Listing" etc. and that the application as filed and as supplemented on August 9, 2006 is complete.

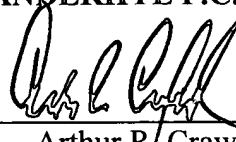
This response is filed within one month of the date of the Notification hence no time extension is required.

The Commissioner is hereby authorized to charge any time extension, deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith to our Account No. 14 1140. A duplicate copy of this sheet is attached.

Respectfully submitted,

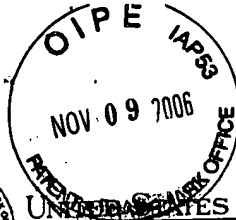
**NIXON & VANDERHYTE P.C.**

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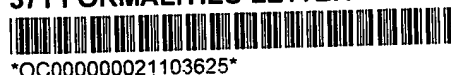
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U.S. APPLICATION NUMBER NO. 10/566,976	FIRST NAMED APPLICANT Fredrik Joabsson	ATTY. DOCKET NO. 613-102/ARC
INTERNATIONAL APPLICATION NO. PCT/GB04/03398		
I.A. FILING DATE 08/04/2004	PRIORITY DATE 08/04/2003	

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CONFIRMATION NO. 2888  
 371 FORMALITIES LETTER



\*OC000000021103625\*

Date Mailed: 11/03/2006

## NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Priority Document
- Copy of the International Application filed on 02/02/2006
- Copy of the International Search Report filed on 02/02/2006
- Copy of IPE Report filed on 02/02/2006
- Copy of Annexes to the IPER filed on 02/02/2006
- Preliminary Amendments filed on 02/02/2006
- Information Disclosure Statements filed on 02/02/2006
- Oath or Declaration filed on 08/09/2006
- Request for Immediate Examination filed on 02/02/2006
- U.S. Basic National Fees filed on 02/02/2006
- Assignment filed on 08/09/2006
- Priority Documents filed on 02/02/2006
- Power of Attorney filed on 08/09/2006
- Specification filed on 02/02/2006
- Claims filed on 02/02/2006
- Abstracts filed on 02/02/2006
- Drawings filed on 02/02/2006

Defective Resp.

DOCKETED  
 CLT/MATTER # 613-102  
 MAIL DATE 6-12-06 11-3-06  
 DUE DATE NOV. 12, 2006 (3x)  
 FINAL DEADLINE Jan. 12, 2006  
 DOCKETED BY LWA / MFP

DEC. 3, 2006

Applicant's response filed 08/09/2006 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 06/12/2006 have not been completed.

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65

FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of **ONE MONTH** from the date of this Notification ~~or the date the response is received by the Patent and Trademark Office~~ **whichever is the longer**. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- **For Rules Interpretation, call (571) 272-0951**
- **For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/566,976	PCT/GB04/03398	613-102